

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)  
Denise Carlon, Esquire  
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Westmont, NJ 08108  
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Attorneys for Secured Creditor  
The Bank of New York Mellon As Co-Trustee for  
Mortgage Equity Conversion Asset Trust 2010-1

In Re:

Michael Polk

Debtor.



Order Filed on April 22, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 17-27513 ABA

Adv. No.:


Hearing Date: 04/14/2020 @ 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

### **ORDER GRANTING CONDITIONAL RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: April 22, 2020**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

(Page 2)

Debtor: Michael Polk

Case No: 17-27513 ABA

Caption of Order: ORDER GRANTING CONDITIONAL RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, The Bank of New York Mellon As Co-Trustee for Mortgage Equity Conversion Asset Trust 2010-1, Denise Carlon, Esq. appearing, upon a certification of default under the terms of an Order Resolving a Motion to Vacate the Automatic Stay as to real property located at 809 Walnut Street, Camden, NJ 08103, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Landlord and Eric Clayman, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that stay relief is granted effective April 28, 2020 unless the Debtor brings the account completely current no later than April 28, 2020;

It is **ORDERED, ADJUDGED and DECREED** that as of April 14, 2020, Debtor is in arrears outside of the Chapter 13 plan to Landlord for rental payments due March 2020 through April 2020 for a total post-petition default of \$1,525.00 (2 @ \$975.00, less \$425.00 suspense); and

It is **ORDERED, ADJUDGED and DECREED** that the Debtor must make a payment of \$1,525.00 no later than April 28, 2020 otherwise stay relief is granted; and

It is further **ORDERED, ADJUDGED and DECREED** that should the Debtor fail to make the \$1,525.00 payment by April 28, 2020, Secured Creditor can immediately file a certification indicating that said payment was not made; no further order shall be required and Secured Creditor shall be permitted to exercise its rights outside of the Bankruptcy Court based on this order, including but limited to instituting an eviction action in State Court;

It is **ORDERED, ADJUDGED and DECREED** that if the Debtor seeks to oppose Secured Creditor's certification, Debtor must file a motion to re-impose the automatic stay;

It is further **ORDERED, ADJUDGED and DECREED** that in the event Debtor makes the payment timely, regular payments are to resume May 1, 2020, directly to Landlord.

Marie-Ann Greenberg, Chapter 13 Trustee  
30 Two Bridges Road  
Suite 330  
Fairfield, NJ 07004

United States Bankruptcy Court  
District of New JerseyIn re:  
Michael Polk  
DebtorCase No. 17-27513-ABA  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 22, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on  
Apr 24, 2020.

db +Michael Polk, 809 Walnut Street, Camden, NJ 08103-2522

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 24, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system on April 22, 2020 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY  
MERGER TO WELLS FARGO BANK, MINNESOTA, NATIONAL ASSOCIATION, AS TRUSTEE FOR REPERFORMING LOAN  
REMIC TRUST CERTIFICATES, SERIES 2002-2 cwohlab@LOGS.com, njbankruptcynotifications@logs.com

Denise E. Carlon on behalf of Creditor The Bank of New York Mellon as Trustee for Mortgage  
Equity Conversion Asset Trust 2010-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Denise E. Carlon on behalf of Creditor The Bank of New York Mellon As Co-Trustee for Mortgage  
Equity Conversion Asset Trust 2010-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Eric Clayman on behalf of Debtor Michael Polk jenkins.clayman@verizon.net,  
connor@jenkinsclayman.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com

Jane L. McDonald on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com

Jeffrey E. Jenkins on behalf of Debtor Michael Polk jenkins.clayman@verizon.net,  
connor@jenkinsclayman.com

Kevin Gordon McDonald on behalf of Creditor The Bank of New York Mellon as Trustee for  
Mortgage Equity Conversion Asset Trust 2010-1 kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Kevin M. Buttery on behalf of Creditor The Bank of New York Mellon bkyefile@rasflaw.com

Nicholas V. Rogers on behalf of Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR BY  
MERGER TO WELLS FARGO BANK, MINNESOTA, NATIONAL ASSOCIATION, AS TRUSTEE FOR REPERFORMING LOAN  
REMIC TRUST CERTIFICATES, SERIES 2002-2 nj.bkecf@fedphe.com

Sherri Jennifer Smith on behalf of Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION, SUCCESSOR  
BY MERGER TO WELLS FARGO BANK, MINNESOTA, NATIONAL ASSOCIATION, AS TRUSTEE FOR REPERFORMING LOAN  
REMIC TRUST CERTIFICATES, SERIES 2002-2 nj.bkecf@fedphe.com, nj.bkecf@fedphe.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 13